

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3092
v.)	
)	
JEREMIAH ANTHONY ERICK,)	
)	MEMORANDUM AND ORDER
Defendant.)	
)	

Defendant has filed a motion seeking screening for release to a treatment program. An evaluation report is attached to the motion which recommends a short-term residential treatment program for this individual. Earlier in this case defendant withdrew his request for a detention hearing in order to allow a substance abuse evaluation to be completed and to formulate a proposal for release. The present motion is that proposal.

The defendant has a dismal record of noncompliance with court orders regarding conditions of probation, paying child support, and otherwise. He has also been charged with assault on several occasions, and recently failed to comply with a condition of his probation that he complete a domestic violence treatment program, as well as other conditions. The offense charged in the indictment occurred while the defendant was on probation. The defendant has a longstanding, daily habit of extremely high methamphetamine use, and clearly, if he is to have any hope of overcoming his addiction, he must have treatment. However, he has not sought treatment in the past, despite the drug's hold on him and its effects on his life. Now that he is in jail, treatment looks better.

I shall grant the request for screening for admission into a dual diagnosis program. If defendant qualifies and is admitted, a separate order will be entered authorizing release. Defendant is warned, however, that failure to comply in ALL respects with conditions of release, should release be ordered, will result in his immediate detention for the duration of the case.

IT THEREFORE HEREBY IS ORDERED,

The motion, filing 18, is granted, and the pretrial services officer shall have the defendant screened for admission into an appropriate dual diagnosis treatment program.

DATED this 26th day of October, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge